

REMARKS

The Official Action mailed October 31, 2007, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on March 15, 2004; February 9, 2005; August 30, 2005; and February 22, 2006.

Claims 1-20 are pending in the present application of which claims 1, 4, 8, 11, 14 and 18 are independent. Claims 1, 4, 8, 11, 14 and 18 have been amended to better recite the features of the present invention. The Applicant notes with appreciation the allowance of claims 7, 10, 17 and 20 (page 12, Paper No. 20071009). For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action rejects claims 4, 7, 8, 10, 14, 17, 18 and 20 under the doctrine of obviousness-type double patenting over claims 1, 4, 12, 15, 24 and 27 of U.S. Patent No. 6,707,484 to Kawasaki or claims 1-7 of U.S. Patent No. 6,307,948 Kawasaki. The Applicant respectfully submits that the amended independent claims of the subject application are patentably distinct from the claims of the Kawasaki '484 or '948 patents.

As stated in MPEP § 804, under the heading "Obviousness-Type," in order to form an obviousness-type double patenting rejection, a claim in the present application must define an invention that is merely an obvious variation of an invention claimed in the prior art patent, and the claimed subject matter must not be patentably distinct from the subject matter claimed in a commonly owned patent. Also, the patent principally underlying the double patenting rejection is not considered prior art.

The Applicant respectfully traverses the obviousness-type double patenting rejection. Independent claims 1, 4, 8, 11, 14 and 18 of the present application have been amended to recite that a speaker is provided on at least one side of a display unit,

and that a microphone is provided on a lower side of the display unit. Independent claims 4 and 14 have been amended to further recite that a camera is provided on an upper side of the display unit. These features are supported in the present specification, for example, by Figure 3. The claims of Kawasaki '484 or '948 do not teach or suggest the above-referenced features.

It is respectfully submitted that the claims of the present application are not a timewise extension of the invention as claimed in the Kawasaki '484 or '948 patents. Reconsideration and withdrawal of the obviousness-type double patenting rejections are requested.

The Official Action rejects claims 1-6, 8, 9, 11-16, 18 and 19 as anticipated by U.S. Patent No. 5,675,390 to Schindler. The Applicant respectfully submits that an anticipation rejection cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP § 2131, to establish an anticipation rejection, each and every element as set forth in the claim must be described either expressly or inherently in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Independent claims 1, 4, 8, 11, 14 and 18 of the present application have been amended to recite that a speaker is provided on at least one side of a display unit, and that a microphone is provided on a lower side of the display unit. Independent claims 4 and 14 have been amended to further recite that a camera is provided on an upper side of the display unit. For the reasons provided below, the Applicant respectfully submits that Schindler does not teach the above-referenced features of the present invention, either explicitly or inherently.

The Official Action relies on the monitor 122 shown in Figure 1 of Schindler to allegedly correspond with the display unit of the present claims, on the speakers 338 and 340 shown in Figure 3 of Schindler to allegedly correspond with the speaker of the present claims, on the microphone 1244 of Figure 12 of Schindler to allegedly

correspond with the microphone of the present claims, and on the camera 1532 of Figure 15 of Schindler to allegedly correspond with the camera of the present claims (pages 8-9, Paper No. 20071009). However, Schindler does not teach, either explicitly or inherently, that the speakers 338 and 340 are provided on at least one side of the monitor 122, that the microphone 1244 is provided on a lower side of the monitor 122 or that the camera 1532 is provided on an upper side of the monitor 122.

Therefore, the Applicant respectfully submits that Schindler does not teach that a speaker is provided on at least one side of a display unit, that a camera is provided on an upper side of the display unit, or that a microphone is provided on a lower side of the display unit, either explicitly or inherently..

Since Schindler does not teach all the elements of the independent claims, either explicitly or inherently, an anticipation rejection cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102 are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,


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